

11-21-01

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11/20/01  
JC839 U.S. PTO

Patent Application

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Allan J. Cassell, Brian Wood and Samuel D. Prien

Entitled: METHOD OF PREPARING BIOLOGICAL MATERIALS FOR CRYOPRESERVATION USING PRE-CHILLED PROTECTANT

J1040 U.S. PTO  
09/989715  
11/20/01

Box PATENT APPLICATION  
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Dear Sir:

REQUEST FOR FILING A NATIONAL PATENT APPLICATION

Transmitted herewith for filing, please find the following:

- X   1. Specification, claims and abstract of the above-referenced patent application having   24   pages.
- X   2.   5   sheet(s) of drawing(s) (  X   formal /    informal) comprising Figures   1   through   5  .
- 3. Declaration and executed Power of Attorney's (  X   signed        unsigned).
- 3A. No filing fee, Oath, or Declaration is enclosed pursuant to 37 C.F.R 1.53(d).
- 4. Information Disclosure Statement along with Form PTO-1449 and references.
- 5. This is a:        Continuation-In-Part;        Divisional;        Continuation;        substitute Application (MPEP 201.09) of Application Serial No.        filed       ;        reissue of U.S. Patent No.        filed on       .  
An extension to extend the life of the above prior Application to at least the date of filing hereof

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Patent Application

(One box must be marked)

- (a) \_\_\_\_\_ is concurrently being filed in that prior Application,  
(b) \_\_\_\_\_ was previously filed in that prior Application,  
(c) \_\_\_\_\_ is not necessary for copendency.

\_\_\_\_\_ 6. Attached is an assignment to. Please return the recorded assignment to the undersigned.

\_\_\_\_\_ 7. Priority is claimed under 35 U.S.C. § 119/120 based on filing in \_\_\_\_\_.

Application No.

Filing Date

(1)

(2)

(3)

\_\_\_\_\_ (No.) Certified copy (copies) \_\_\_\_\_ are attached; or \_\_\_\_\_ were previously filed on \_\_\_\_\_.

\_\_\_\_\_ 8. Attached is Form PTO/SB/35 NonPublication Request Under 35 U.S.C. 122(b)(2)(B)(i).

\_\_\_\_\_ 9. Attached: \_\_\_\_\_ (No.) verified statement(s) establishing "small entity" status under 37 CFR § 1.9 and 1.27.

X 10. Attached:

X Return Postcard  
\_\_\_\_\_ (Other)

\_\_\_\_\_ 11. Preliminary Amendment:

Prior to a first Office Action, kindly amend the Application as follows:

# Patent Application

12. The following Filing Fee calculation is based on the claims filed less any claims canceled by the Preliminary Amendment of Item 11.

	SMALL ENTITY RATE		OR		LARGE ENTITY RATE			
BASIC FEE	\$370				\$740		=	\$ 740.00
	NUMBER FILED		NUMBER EXTRA					
TOTAL CLAIMS	40	-20	=	20 (at least 0)	x 9	OR	x 18	= \$ 360 00
INDEP. CLAIMS	3	-3	=	0 (at least 0)	x 42	OR	x 84	= \$ 00
If any <u>proper</u> multiple dependent claim (ignore improper) is present (Enter \$0.00 if this is a <u>reissue</u> application.)					+\$135	OR	+\$270	= +\$_____
If assignment is x'd (item 6), add recording fee \$40.00								+\$ .00
Attached is a Rule 47 Petition (inventor refuses to sign or cannot be reached) \$130								+\$ .00
<b>TOTAL FILING FEE</b>								<b>= \$1100.00</b>

- \_\_\_\_\_ 13. A check in the amount of \_\_\_\_\_ to cover the Filing Fee calculated in Item 11 is attached. Please charge any deficiency or credit any overpayment to Simon, Galasso & Frantz PLC Deposit Account No. \_\_\_\_\_.
- \_\_\_\_\_ 14. Please charge SIMON, GALASSO & FRANTZ PLC, Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_ the Filing Fee calculated in Item 12. This sheet is attached in duplicate.
- \_\_\_\_\_ 15. The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and may be required under 37 CFR 1.16-1.18 (missing or insufficiencies only) now or hereafter relative to this application and for the resulting Official Document under 37 CFR 1.20, and to have and cause any necessary petition for extension of time to be filed and any fees necessary to be paid for said extension of time OR credit any overpayment to SIMON, GALASSO & FRANTZ PLC Deposit Account No. \_\_\_\_\_, for which purpose a duplicate copy of this sheet is attached. **The Commissioner is not authorized to charge the issue fee until/unless an issue fee transmittal form is filed.**

\_\_\_\_ 16. Customer Number or Bar Code Label

Respectfully submitted,  
Allan J. Cassell et al.

By: Edward J. Marshall  
Edward J. Marshall  
Reg. No. 45,395

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